IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA

vs.   No. CR2-07-121
                                         JUDGE MARBLEY

CHAD WICKLINE

PLEA AGREEMENT

Plaintiff United States of America and Defendant CHAD WICKLINE hereby enter into the following binding Plea Agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure:

1.   Defendant CHAD WICKLINE will enter a plea of guilty to Counts 3 and 9 of the Indictment herein which charges him with mail fraud, in violation of 18 U.S.C. §§1341 and 2 in Count 3 and money laundering conspiracy, in violation of 18 U.S.C. §1956(h) in Count 9.

2.   Defendant CHAD WICKLINE understands the maximum penalty that may be imposed pursuant to his plea of guilty to Count 3 is a term of imprisonment for 20 years, a fine of up to $250,000 and a term of supervised release of up to 3 years; and pursuant to his plea of guilty to Count 9 of the Indictment the maximum possible penalty is a term of imprisonment for 20 years, a fine of $500,000 or twice the amount of money laundered, and a term of supervised release of up to 3 years.

3.   Prior to or at the time of sentencing the defendant will pay to the U.S. Department of Justice a special assessment

in the amount of $200.00 as required in 18 U.S.C. §3013. This assessment shall be paid by the defendant before sentence is imposed and defendant will furnish a receipt at the time of sentencing. The payments shall be made to the United States District Court, at the Clerk's Office, 85 Marconi Boulevard, Columbus, Ohio 43215.

4. If such plea of guilty is entered, and not withdrawn, and the Defendant CHAD WICKLINE acts in accordance with all other terms of this agreement, the United States Attorney for the Southern District of Ohio agrees not to file additional criminal charges against Defendant CHAD WICKLINE based on his activities charged in the Indictment or based on other mail fraud, wire fraud or money laundering in the Southern District of Ohio occurring prior to the date of the Indictment. The United States Attorney also agrees to dismiss Counts 1-2,4,7-8,10-12 and 16-17 of the Indictment, as they relate to this defendant, at the time of the defendant's sentencing herein. By virtue of the defendant pleading guilty to the Indictment in exchange for the United States' agreement to dismiss Counts 1-2,4, 7-8,10-12, 16-17 the defendant understands that he is not a prevailing party, as defined in 18 U.S.C. §3006A, and hereby expressly waives his right to sue the United States as a result of such decision not to prosecute him.

5. Defendant CHAD WICKLINE understands that this

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agreement does not protect him from prosecution for perjury, should he testify untruthfully, or for making false statements, nor does it protect him from prosecution for other crimes or offenses which the United States discovers by independent investigation. Further, should Defendant fail to comply fully with the terms and conditions set forth herein, this agreement is voidable at the election of the United States Attorney for the Southern District of Ohio, and Defendant CHAD WICKLINE may be subject to prosecution as if the agreement had never been made.

6. Defendant CHAD WICKLINE is aware that his sentence will be imposed in accordance with the United States Sentencing Guidelines and Policy Statements (U.S.S.G.). The defendant is further aware that the District Court has jurisdiction and authority to impose any sentence within the statutory maximum set forth for the offense to which the defendant pleads guilty. The defendant is aware that the Court has not yet determined a sentence.

7. Pursuant to 18 U.S.C. §3553(a) and Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, the parties agree that an 24-30 month prison term range, a three-year period of supervised release and a $200 special assessment is the appropriate sentence as a result of defendant's convictions for counts 3 and 9 in this case. This is a binding agreement pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure.

If, after viewing the presentence investigation report, the Court refuses to accept this plea agreement due to this binding recommendation on sentencing, the parties understand that either party has the right to have the defendant's guilty plea set aside and proceed to trial on the Indictment, pursuant to Rule 11(c)(5) of the Federal Rules of Criminal Procedure.

8.   Defendant WICKLINE agrees to pay all lawfully owed federal income taxes for which he is personally responsible for each of the calendar years 2002 through 2006, inclusive, as well as any interest, penalties, and fines that may be assessed thereon.   Nothing in this plea agreement shall limit the Internal Revenue Service in its collection of any taxes, interest or penalties due from CHAD WICKLINE.

9.   Defendant WICKLINE agrees to make restitution in the amount of $388,056.01 to the victims of the offense.
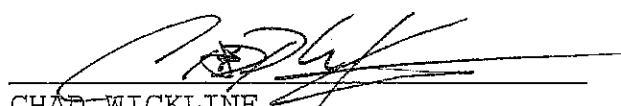
10.   It is agreed that if the Court refuses to accept any provision of this Plea Agreement, with the exception of the agreements contained in paragraph 7, neither party is bound by any of its provisions, Defendant CHAD WICKLINE may withdraw his guilty plea, and the United States Attorney for the Southern District of Ohio may proceed with prosecution pursuant to the Indictment without prejudice.

11.   The defendant, CHAD WICKLINE, is aware that 18 U.S.C. §3742 affords a defendant the right to appeal the sentence
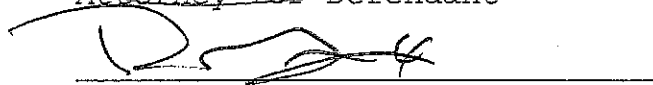
imposed. Acknowledging this, in exchange for the concessions made by the United States in this Plea Agreement, the defendant, DAN WICKLINE, knowingly waives the right to appeal the sentence or to challenge it collaterally on any ground.

12. No additional promises, agreements, or conditions have been made relative to this matter other than those expressly set forth herein, and none will be made unless in writing and signed by all parties.
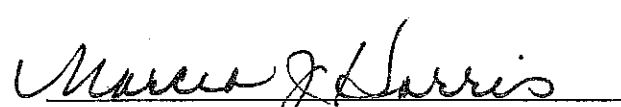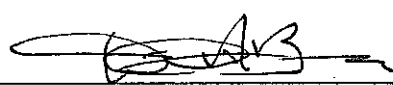
7-9-08
Dated

CHAD WICKLINE
Defendant

ROBERT G. BERNHOFT
Attorney for Defendant

ROBERT E. BARNES
Attorney for Defendant

GREGORY G. LOCKHART
UNITED STATES ATTORNEY

MARCIA J. HARRIS (0031632)
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Assistant United States Attorney

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